

**OPINION  
46-232**

April 5, 1946 (OPINION)

PATRONS OF RESTAURANTS

RE: Who Are

This will acknowledge your letter of March 30, in which you seek an interpretation of the phrase "patrons of the restaurant," as contained in paragraph 4 of chapter 50 of the 1945 Session Laws.

Merely going from the bar in a liquor establishment into that portion of the establishment conducted as a restaurant would not, in my estimation, constitute such person a patron of the restaurant. In order to be a patron of the restaurant, it would seem to me that the person or persons would have to ask for service of some kind of food from the restaurant portion of the establishment. In other words, as I interpret the phrase, "to patrons of the restaurant," as contained in section 4 of chapter 50 of the 1945 Session Laws, that alludes to persons who go into the restaurant to seek the service of food of some kind. In other words, they must be seeking directly the service of the restaurant, in order to be patrons of the restaurant. If they go in there for the purpose of buying any kind of food, they immediately become patrons of the restaurant. If they are in there for no other purpose than just merely to loaf, they do not, in my estimation, become patrons of the restaurant.

NELS G. JOHNSON

Attorney General